



World Chronicle

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CEDAW

The United Nations Committee on the Elimination of Discrimination Against Women (CEDAW), an expert body established in 1982, is composed of 23 experts on women's issues around the world. The Committee's mandate is very specific: it watches over the progress of women made in those countries that are the States Parties to the 1979 Convention on the Elimination of all Forms of Discrimination Against Women. In this edition of **World Chronicle**, Jane Connors, Chief of Women's Rights Unit at the Department of Economic and Social Affairs of the United Nations, talks about the recently concluded 24th CEDAW session held at the UN Headquarters in New York.

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ANNOUNCER: From United Nations Headquarters in New York, this is **World Chronicle**, an unedited interview programme about major global issues.

Here now to introduce our guest is the host of today's **World Chronicle**.

LITTLEJOHNS: I'm Michael Littlejohns, and this is **World Chronicle**.

The Committee on the Elimination of Discrimination Against Women, CEDAW, has recently concluded its 24th session held at the UN Headquarters in New York. The Committee examined reports of eight states parties – Burundi, Kazakhstan, Maldives, Uzbekistan, Finland, Egypt, Mongolia and Jamaica – to monitor compliance with the provisions of the 1979 Convention on the Elimination of All Forms of Discrimination Against Women. The Committee, which meets twice a year, consists of 23 experts who act in their personal capacities.

Our guest today is an expert on women's rights issues. She is Jane Connors, from the Division for the Advancement of Women at the United Nations Department of Economic and Social Affairs.

Joining me to talk with Ms. Connors are Edith Lederer of *The Associated Press* and Alejandra Villasmil of the *Mexican News Agency/NOTIMEX*.

Ms. Connors, welcome to **World Chronicle**.

CONNORS: Thank you.

LITTLEJOHNS: The Convention has been in place for quite a long time and you have had a fair number of adherence to it, has it produced some reasonably good results?

CONNORS: I think so. It's difficult to talk about results when you're looking at international instruments but we now have quite a number of states parties and one can look back at the impact of the reporting procedure with regard to several countries. And in particular, South Korea reported some years ago and at that time it had discriminatory citizenship legislation so that men but not women could pass their citizenship, their Korean citizenship, to their children. After they were reviewed by the Committee they changed their legislation so that it is non-discriminatory in terms of citizenship in that country. There are similar stories that I could tell you about other countries and I could also tell you quite a bit about litigation and how the Convention has been used in states parties to ensure that the idea of equality at the domestic level is appropriate. So for example, again with regard to discriminatory citizenship law, in Zimbabwe and in Botswana the Convention has been used to ensure that women as well as men can pass their citizenship to their children. That's only

one example. Another very important example is I think the proliferation of measures on violence against women, in particular domestic violence, and domestic violence was an issue the Committee took up very early. And I think you can find now that in most countries of the world there is some form of legislation to address domestic violence. And much of this, I think, is as a result of international policy which has been more or less spearheaded by this Committee.

LITTLEJOHNS: Speaking of the Korean Peninsula I saw that North Korea is a fairly recent...

CONNORS: The latest ratification is North Korea which is....

LITTLEJOHNS: That's quite a plus, isn't it?

CONNORS: It's an enormous plus when you think of it because ratification essentially means – or accession in the case of North Korea – this means that they are now committed to ensuring that there is no discrimination at national level in their legislation and their policies where women are concerned. It won't happen overnight but being part of the reporting process through the accession means that they will enter into a dialogue and be involved at the international level with moving, inching forward as one often sees it, to a position where you remove discriminatory laws and policies.

LEDERER: Jane, realizing of course that there have been some significant progress, here we are 20 years after the Convention came into force and we're still really struggling to see true women's equality and an end to discrimination against women. We see countries for instance like Afghanistan where the Taliban are now denying girls the right to go to school. What is it that the United Nations or that the international community can do to really put pressure on governments to meet their commitments in this kind of an international instrument? It's all well and good to come out and make all these fancy recommendations but how can we actually pressure them to get results?

CONNORS: They're the sorts of questions that one always really, really dreads. I think when you talk about...

LITTLEJOHNS: You mean as an international civil servant?

CONNORS: Yes. When you're talking about the Committee on the Elimination of Discrimination Against Women you're not really talking about the UN itself. The Committee is an independent body and the extraordinary thing is in this context you'll

see one of the only examples where ordinary people – well, they're not ordinary, they're experts – can address states and ask them, "Why haven't you done this? Why hasn't this been put in place?" But of course states such as Afghanistan do not become party to such instruments. This pressure from experts does have an enormous effect in terms of a moral obligation and the international embarrassment that it causes. However, there isn't an international police force. There isn't even the overt disappointment expressed towards a country like Afghanistan that there was with regard to the Buddhist statues. There must be much more attention to detail in that area that one would take – you know the outrage of the world would be expressed with regard to the position of women in Afghanistan as it has been in other contexts. What is new with regard to the Convention and what will, I think, push states even more to ensure that they put in place their commitments, is the adoption of an Optional Protocol to it. This was adopted last year, or it entered into force last year, and it allows for individual women to complain to the Committee of individual forms of discrimination against them. And this is very powerful. This sort of an instrument is very powerful because an individual complaining to a state and coming to international level does have the capacity to make a state change its policies in a way a sort of consensus examination doesn't, and certainly in the way a resolution does not make a state change its policies. So in essence, when you're looking at international procedures you're looking at the power of international embarrassment I think. The Committee has an enormous power there with its review of states parties' reports but this is going to become even greater with the possibility now that individuals will come to the Committee and say this has happened to me, please resolve this for me. And the views will become public, the countries will become public, the issues will become public. And it has had a compelling impact in other contexts, most notably in the Human Rights Committee where the death row cases in Caribbean countries, for example, were addressed through that procedure.

VILLASMIL: Have you received so far any complaints and from which countries?

CONNORS: There are 18 countries who have become party to this instrument and they're very varied states. It's worthwhile pointing that out. They range from Northern European countries – Austria, France – to Namibia, Senegal, Bangladesh, Thailand

...

VILLASMIL: Any in Latin America?

CONNORS: Bolivia, at the moment. So they are a mixed group of countries and there are 18. And it's only been open for ratification and accession since the last Human Rights Day of the 20th century, the 10th of December 1999, so that's quite swift. But people have to go through the national system first. They have to exhaust national remedies or they have to prove that if you did that it will be pointless. That the courts are always going to decide against you anyway, or it will take 20 years before you can get your case heard. So we have not received any but we have received, sadly, communications from people whose countries are not states parties to the instrument. So I've received several letters and we have to say, "well unfortunately you cannot be considered under this instrument because your country has not become party to it. It's critical that your country does." But it's been a very, very interesting the development of this Protocol because it's really inspired women everywhere.

VILLASMIL: But the very fact that these people have to go first to their governments is that an issue that can permeate the process? I mean, make it more difficult? You know, censorship, these kinds of things?

CONNORS: Well, that's the problem. The difficulty is the UN can't step in before there is an opportunity at the domestic level to deal with it and the whole notion of the Protocol...

LITTLEJOHNS: But that could take forever, surely?

CONNORS: Yes. But if it takes forever, within the Protocol there is an exception. If it is proven, if you can show that one, pursuing the domestic remedy would be pointless, that women's claims are always denied, or pursuing a domestic remedy would be so time-consuming that ...

LITTLEJOHNS: And who makes that decision?

CONNORS: That would be made by the Committee. So you would come and you would say I would pursue a domestic remedy except there's nothing there. There are no available domestic remedies, or they would take so long that it's pointless, or if I did so it will be decided against me. Then you can go immediately.

LITTLEJOHNS: But then politics is going to raise its ugly head and nothing is going to happen.

CONNORS: Yes. Well, politics always raises its ugly head but not as much in the context of an independent committee and it's very important to emphasize that this committee is not a committee of delegates. They are people who serve in their personal capacity.

LITTLEJOHNS: Personal experts.

CONNORS: They are personal experts and these ones are a bit different from other personal experts because they are by and large people who have had an enormous experience and enormous commitment to women's human rights. So while they may be

LITTLEJOHNS: And they haven't been nominated by governments?

CONNORS: They are nominated by governments and they are elected by the states parties but they are nominated to serve in their personal capacities and by and large, they do. By and large. Obviously everyone is affected by politics but they are not driven by, you know, national politics. They are interested. They come out of a different background from many experts who serve in UN contexts because they are women. And there's one man at the moment. There has been a man in the past ...

LITTLEJOHNS: Really?

CONNORS: Yes, there's one man put forth by the government of Sweden.

LITTLEJOHNS: Sweden! Really? That's very interesting. Sweden of all countries!

CONNORS: Well, Sweden put forth the first man many years ago, in 1982. And this is the second man who's ever been on the Committee in its 20-year history and he also comes from Sweden. But they are experts.

LITTLEJOHNS: One thorn among all those roses.

CONNORS: I think he enjoys himself actually.

LEDERER: All right. Getting back to this Protocol though, we have 18 countries. There are 189 UN Member States. The vast majority of countries where the likelihood of serious discrimination exists are not yet signatories to this Optional Protocol. So while we go ahead and wait years and years and years and years for all of them to sign up what else can be done to try and address these serious issues of discrimination that exists especially in some developing countries, some war-torn countries, as well as of course some developed countries?

CONNORS: Before I answer that don't be too pessimistic. There are now 94 states parties to the Optional Protocol to the civil and political rights covenants so that's quite a lot. And of those 94 many are countries where there are serious violations of human rights. And when you think of it this is just a little over a year really. I mean 18 is not too bad and I think we will get many, many more. Very frequently people expect far too – well people don't see the international mechanisms as being secondary to the national mechanisms and I think that's a critical thing to think about at all times. And people don't see the consciousness-raising effect and pressurizing effect that these sorts of mechanisms can have at the domestic level. I think that has been an enormous plus in terms of getting people in their own countries to change hideous discriminatory laws. And I won't name countries but countries where there are awful patterns of behaviour with regard to widows, with regard to women who are perceived as transgressing moral values, and so on and so forth. We have seen changes as a result of the possibility of international mechanisms such as CEDAW, the Committee, and such as the Optional Protocol. But absent this international police force that's going to intervene where serious violations of women's human rights occur, and absent the real, teeth-type mechanism, we can only rely on that moral pressure. But I think we've seen quite a bit of – I mean I'm an optimist and that's a bad thing probably but I've seen a lot of development with regard to international procedures such as The Hague Tribunal and the Rwanda Tribunal with regard to taking into account violations against women in a way that I think we wouldn't have seen five years ago. So there is progress. These international procedures are secondary to the national procedure and the way they work is to ensure that moral pressure exists. But that moral pressure will not exist unless all countries are prepared to act, are prepared to be obvious about certain countries where there are serious violations of women's rights. And that's where politics raises its ugly head I think.

LITTLEJOHNS: This is **World Chronicle**. Our guest is Jane Connors from the Division for the Advancement of Women at the United Nations Department of Economic and Social Affairs.

VILLASMIL: Talking about the developed countries, you mentioned the case of Sweden that has one man appointed to this Committee. I know also that the Nordic countries are leading the world in granting more rights to women – the case of Norway for example. Can you comment a little bit on that? How is the situation in these countries

where you see all of these developments and how is the situation for women in these countries right now?

CONNORS: I think the situation for women in the Nordic countries is better than – well one can't say better. There are certain issues that the Nordic countries have taken on board that perhaps other countries have not taken on board in a way they should, and one of the important issues that women all over the world are concerned with is the issue of family responsibilities. The whole notion of elimination of discrimination in all areas is impacted upon greatly by the fact that women are perceived as predominantly – primarily responsible for their children, primarily responsible for the life of the family. And I think what the Nordic countries appreciated very early is that men and women are responsible for children. Men and women are responsible for the health of the family and therefore you have comprehensive childcare, you have the introduction of parental leave for both men and women – for fathers and mothers. And I think that allowed for some level of elimination of discrimination that might not have existed in other countries. It is interesting because if you look at the Nordic countries with regard to legislation on say domestic violence, it came later for them than for other countries. So whereas the United Kingdom has legislation on the elimination of violence in the household in the 70's, it took another 15 years for the Nordic countries to develop that sort of legislation. So in certain areas they are very strong and in other areas less strong. I think another thing that they have going for them is they are wealthy countries. This is always of a great help when you are seeking to eliminate inequalities that might exist in societies and they're fairly homogenous in some ways so that that might assist. But I do think that appreciation of children and how they might affect women's quest for equality has been an important plus in those countries and has allowed for – I mean one can talk of political leaders from those countries in a way one can't talk of them in other developed countries in the world.

VILLASMIL: How is the situation in the United States for women?

CONNORS: I don't know. The United States has not ratified the Convention on the Elimination of all Forms of Discrimination Against Women so the United States does not present reports to the Committee indicating what its policies are with regard to women and indicating how far it has got. But I do understand it still does not have comprehensive paid maternity leave. My country also does not have ...

LITTLEJOHNS: Your country being?

CONNORS: Australia. Most women in Australia would be able to take paid maternity leave but it hasn't introduced a countrywide paid maternity leave. Similarly, New Zealand has not. And I do understand that there might be difficulties with combining work and family responsibilities in this country. It's unfortunate because you would hope that the United States of America would allow its record with regard to that Convention to be observed by the Committee in the way 167 other countries have.

LITTLEJOHNS: Edith, you want to pick up on that?

LEDERER: I'd like to pick up on that. What I'd like you to talk of is what are the big objections by the United States to joining the Convention? And I also have a question about reporting. For instance here we have North Korea acceding to the Convention. North Korea at some point will be called upon to report. Is there any independent investigation that goes on to determine whether this reporting is in fact adequate, the truth, reflective? I mean one could easily imagine that virtually every country would want to shine the brightest light on their record and sort of close off any problems.

CONNORS: Let me deal with that latter part first. Certainly the dialogue is between the country and the Committee so the country puts forward a report and the Committee questions the country on the report, sometimes very challengingly. The Committee gets its information on which to base the questions from various sources. It has very good UN information and there's a lot of very interesting United Nations information from say the Children's Fund, say from UNIFEM, the Women's Fund, from United Nations High Commissioner for Refugees. So it has all of that information which is available within the system and it also receives information from non-governmental organizations. So I would imagine when North Korea comes up for consideration non-governmental organizations will have submitted information on what is going on in North Korea. Now while they are not involved in the dialogue -- it's not a three-way dialogue -- they are entitled to present their reports and orally give information to the Committee in an open session. And they tend to do so. The Committee uses that information in the way it wishes to do and I have seen many countries that one would perceive put forward reports that are more glowing than one might expect the situation to be being asked extremely challenging questions.

LITTLEJOHNS: Gilding the lily.

CONNORS: They're asked extremely challenging questions and they do answer them. It's remarkable. One does not believe it until one sees that sitting there they are confronted by 23 people who are asking them questions like you're asking me. They're not in the diplomatic tone but they're not asking them in a sort of in a multilateral tone. They are asking them in a fairly robust fashion, some of them more robust than others. And they answer. They have to answer but not as frankly as you would necessarily – as frankly as they could. But they will answer in a way that is more frank than one would expect. With regard to your first question I think the United States has always been very wary of allowing its domestic issues to be supervised in any way, or perceived to be supervised in any way by an outside body. So it has come late to other human rights conventions and it will, of course, come late with regard to the International Criminal Court. And I think there are particular anxieties that certain groups have in the United States to the perception of what equality between women and men means and there are those who believe that equality between women and men means that you have to have prostitution perceived as a profession.

LITTLEJOHNS: The sex industry they call it.

CONNORS: Yes. There are misconceptions as to what the meaning of equality between women and men is. It doesn't mean a radical notion of what women – it is not a compulsory radical agenda. And this was an experience that we had in Australia prior to the ratification of CEDAW, which was hard fought. They were the same objections raised particularly by very conservative groups. But ultimately the real implications of equality were revealed and ratification took place.

LITTLEJOHNS: Jane, we have less than a minute left but a question arises in connection with the advancement of women in developed countries, particularly in Europe. It seems that one of the results has been a great reduction in the birth rate and populations as a result are falling. It's not necessarily a good idea, is it?

CONNORS: I don't know. But you see if countries do not take on board the notion that women have children – I think this is a critical issue – women have children and someone has to look after those children and certainly – and I can testify to this myself – if that is not accommodated in a country's vision of what life is about then women will choose to be able to do better.

LITTLEJOHNS: That's all the time we have. Thank you for being with us on this edition of **World Chronicle**.

Our guest has been Jane Connors from the Division for the Advancement of Women at the United Nations Department of Economic and Social Affairs. She was interviewed by Edith Lederer of the Associated Press and Alejandra Villasmil of the Mexican News Agency, NOTIMEX.

I'm Michael Littlejohns. Thank you for joining us. We invite you to be with us for the next edition of **World Chronicle**.

ANNOUNCER: Transcripts of the programme may be obtained free of charge by sending a stamped, self-addressed envelope to **World Chronicle**, United Nations, Room S-827L, New York, N.Y., 10017.

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